

No. 5838 P. 2

Atty. Ref.: P1470US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	WADA, Takao UMEBAYASHI, Toyoshi KURATA, Shuhei ITANI, Mamoru
International Appl. No.	:	PCT/JP2004/011498
International Filing Date	:	04, August 2004
U.S. Appl. No.	:	10/565,151
U.S. Filing Date	:	January 19, 2006
For	:	DISPOSABLE WEARING ARTICLE

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF CORRECTED TRANSMITTAL LETTER

Sir:

This transmittal is in response to a telephone call initiated by Ms. Wallace on June 22, 2006. Ms. Wallace noted that the transmittal letter of the above-captioned application included a typographical mistake pertaining to the International Application number. In particular, the original transmittal letter identified the application as

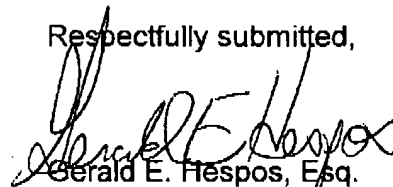
I hereby certify that this correspondence
is being sent via facsimile to:
(571) 273-9843
on June 22, 2006
Marie B. Bufalo

Marie B. Bufala,

PCT/US2004/011498. In fact, the original application was filed in Japan, and has Appl. No. PCT/JP2004/011498. As noted by counsel, all of the other documents submitted with this application included the proper International Application number and did not include the typographical mistake that was present on the transmittal letter. In particular, the Certificate of Express Mail, the Application Data Sheet and the Declaration all identified PCT/JP2004/011498 as the International Application number.

In accordance with the suggestion of Ms. Wallace, a corrected transmittal letter is attached with the proper International Application number. Please take appropriate steps for advancing this application for processing as the national phase of PCT/JP2004/011498.

Respectfully submitted,



Gerald E. Hespos, Esq.

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Date: June 22, 2006

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER P1470US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/565,151
INTERNATIONAL APPLICATION NO. PCT/JP2004/011498	INTERNATIONAL FILING DATE 04, August 2004	PRIORITY DATE CLAIMED 06, August 2003
TITLE OF INVENTION DISPOSABLE WEARING ARTICLE		
APPLICANT(S) FOR DO/EO/US WADA, Takao; UMEBAYASHI, Toyoshi; KURATA, Shuhei and ITANI, Mamoru		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input checked="" type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV749324006US 		

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0851-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/565,151		PCT/JP2004/011498		P1470US	
23. Other items or information: 1. Form PTO-2038; and 2. Application Data Sheet.					
The following fees have been submitted:				CALCULATIONS PTO USE	
24. <input checked="" type="checkbox"/> Basic national fee				\$300	\$ \$300.00
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article				\$0	\$ \$200.00
All other situations.				\$200	
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.				\$100	\$ \$500.00
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.				\$400	
All other situations.				\$500	
TOTAL OF 24, 25 and 26 =					\$ \$1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0 /50 =	0		x \$250.00	\$ \$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	19 - 20 =	0	x \$50.00		\$ \$0.00
Independent claims	4 - 3 =	1	x \$200.00		\$ \$200.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00					\$ \$0.00
TOTAL OF ABOVE CALCULATIONS =					\$ \$1,200.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$ \$0.00
SUBTOTAL =					\$ \$1,200.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$ \$0.00
TOTAL NATIONAL FEE =					\$ \$1,200.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +					\$ \$40.00
TOTAL FEES ENCLOSED =					\$ \$1,240.00
				Amount to be	\$
				Amount to be	\$

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1030. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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SIGNATURE

Gerald E. Hespos

NAME

30,066

REGISTRATION NUMBER

January 19, 2006

DATE